



Reference: 314485

August 7, 2018

Laura Selanders  
President  
Canadian Electrical Stewardship Association  
15 Allstate Parkway, Suite 601  
Markham ON L3R5B4

Dear Laura Selanders:

Thank you for submitting the proposed Canadian Electrical Stewardship Association Extended Producer Responsibility Plan on June 22, 2018 in fulfillment of the requirements of section 6 of the [Recycling Regulation](#) (the “regulation”) made under the *Environmental Management Act*. I appreciate the industry’s continued commitment to achieving compliance in this regard.

Under the regulation, the director has the ability to both amend an approved extended producer responsibility plan (the “plan”) on his own initiative, and to approve amendments to an approved plan that have been proposed by a producer. I have completed my review of, and approve, the plan proposed by the Canadian Electrical Stewardship Association (CESA) on June 22, 2018. As requested by CESA, the original Part 1 and Part 2 plans approved on July 12, 2010 and April 23, 2012 respectively will be rescinded when the new plan comes into force.

In addition to the requirements proposed by CESA, and approved by me in this letter, I amend the plan, pursuant to section 5(5) of the regulation.

By December 31, 2019, CESA will:

- Complete satisfactory consultation with stakeholders to meet the requirements set out in sections 5(1)(c)(i) and (vi), taking into consideration guidance provided in the [Recycling Regulation Guide 2012](#) and [Producers Paying the Cost of Managing Obligated Materials and Dispute Resolution 2018](#).
- Submit to the director a stakeholder consultation summary document; and
- Propose amendments to the plan that address regulatory requirements and outcomes of the consultations.

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The above additional amendments form part of CESA's plan and take effect on August 7, 2018.

Proposed amendments to the plan will be in the form of a revised plan submitted to the director, including the stakeholder consultation summary document. CESA will also provide the director with a document that clearly highlights all proposed revisions to the plan.

These additional amendments are required to ensure the plan adequately provides for the elements set out in subsections 5(1)(b), (c)(i) and (vi) of the regulation. Specifically, I must be satisfied of the following:

- The producer has undertaken satisfactory consultation with stakeholders prior to submitting the plan for approval and will provide opportunity for stakeholder input in the implementation and operation of the extended producer responsibility program;
- The plan adequately provides for the producer collecting and paying the costs of collecting and managing products within the product category covered by the plan, whether the products are currently or previously used in a commercial enterprise, sold, offered for sale or distributed in BC; and
- The plan adequately provides for a dispute resolution procedure for disputes that arise between a producer and person providing services related to the collection and management of the product during implementation of the plan or operation of the extended producer responsibility program.

Pursuant to section 6 of the regulation, your next plan review must be completed in five years by August 7, 2023. However, a director under the *Environmental Management Act* may amend the approved plan pursuant to section 5(5) of the regulation or rescind approval of the approved plan pursuant to section 6.1 of the regulation, should CESA fail to meet the commitments set out in the approved plan. Please also note that failure to comply with an approved plan may result in the imposition of an administrative penalty of up to \$40,000 or a fine of up to \$200,000.

### **Future plans and amendments**

The ministry expects continuous improvement across all extended producer responsibility programs' future plans and amendments, including the following areas of concern:

1. Plan commitments – for example, use specific and measurable language;
2. Consumer access – for example, develop comprehensive province-wide accessibility – particularly in rural areas, and/or improve upon the current Stewardship Agencies of BC accessibility standard;
3. Consumer awareness - for example, include performance requirements tailored for different consumer groups and all product types managed by the program;
4. Financial transparency – for example, provide greater levels of disclosure in financial statements to better serve interests of producers, the ministry, and other stakeholders; and
5. Pollution prevention hierarchy – for example, highlight program areas of influence.

I acknowledge that some plans better address various concerns than others, and that collaboration between some producers/appointed agencies and the ministry is underway. As well, the ministry intends to develop further guidance on select areas of concern.

**Third party independent assurance for non-financial information in annual reports**

Third party assurance for non-financial information in Annual Reports is required through Section 8(2)(h) of the regulation. The assurance report should be completed in accordance with the document entitled, “Third Party Assurance Requirements for Non-Financial Information in Annual Reports” dated October 2017 and revised from time to time, which is enclosed.

Finally, the ministry expects this approval letter to be forwarded to CESA’s board of directors as well as its member producers, since each producer is responsible for ensuring its agent fulfills the plan, and compliance proceedings may be taken against a producer if the agent fails to implement the plan.

I look forward to working with you to ensure the success of your program. If you have any questions about this letter, please contact me at 778 698-4860 or [ExtendedProducerResponsibility@gov.bc.ca](mailto:ExtendedProducerResponsibility@gov.bc.ca). If you have any questions regarding the implementation of your plan, please contact your ministry file lead.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob McDonald', with a stylized flourish at the end.

Bob McDonald  
Director, Extended Producer Responsibility Section  
Environmental Standards Branch

Enclosure (2)

cc: Kris Ord, Executive Director, Environmental Standards Branch  
Kristi MacMillan, Ministry file lead, Extended Producer Responsibility Section